



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/895,755	06/29/2001	Mami Uchida	SONYJP 3.0-184	1030
<div>7590 11/14/2007 LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090-1497</div>			<div>EXAMINER CHOWDHURY, SUMAIYA A</div> <div>ART UNIT 2623</div> <div>PAPER NUMBER</div>	
			<div>MAIL DATE 11/14/2007</div> <div>DELIVERY MODE PAPER</div>	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/895,755	Applicant(s) UCHIDA ET AL.	
	Examiner Sumaiya A. Chowdhury	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 5-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 5-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/1/07 has been entered.

Response to Arguments

2. Applicant's arguments filed 10/1/07 have been fully considered but they are not persuasive.
 - (a) Applicant argues "...Kahl, Minoura and Rasanky are non-analogous art to the electronic program guide and broadcast program scheduling aspects of the present invention and therefore cannot be combined with Wehmeyer Proehl Etheredge to meet the calendaring limitations recited in the present claims...Neither Kahl, Minoura or Rasanky have any relationship to television displays, recording broadcast programs, or providing reminders to watch broadcast programs." in the paragraph bridging pages 9-10 of the Remarks filed 10/1/07.

Applicant is correct in asserting that Kahl, Minoura and Rasanky are more concerned with the computer environment rather than the television environment as recited in the claims. The main components in a computer are the memory, processor, display, and modem. Similarly, the main components of a television system are the

Art Unit: 2623

memory, processor, display, and tuner. On a computer a user is capable of watching television shows online, such as on www.abc.com. On a television a user can browse the web, such as on a WebTV system. Therefore, the three aforementioned references are certainly analogous art to the television related aspects of the invention.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 and 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wehmeyer (6169543) in view of Minoura (6323883), Proehl (6532589), Rasanky (5960406), Etheredge (6018372), and Kahl (5936625)

As for claims 1 and 7, Wehmeyer discloses:

A reservation information setting apparatus operable for use with a television receiver having a display unit, said apparatus, comprising:

schedule table forming means for controlling a display of a schedule table that includes calendar information – Fig. 6; col. 16, lines 4-16, col. 11, lines 37-41, col. 12, lines 49-51;

date selection accepting means for accepting a selection input of a target date in said schedule table – col. 14, lines 10-15;

schedule information accepting means for accepting an input of user schedule information for a respective target date – Fig. 5A; col. 12, lines 59-63, col. 13, lines 42-51, col. 14, lines 4-15, col. 16, lines 50-65;

reservation information accepting means for accepting an input of reservation information for a broadcast program on a respective target date, wherein the reservation information is a recording reservation for recording the broadcast program or a viewing reservation for viewing the broadcast program; – col. 12, lines 13-17; and

said user schedule information representative of a number of user events pertaining to a user which are not related to broadcast programs – (i.e. personalized calendar function such as a reminder to “Call Mom”; col. 12, lines 49-51, lines 59-60, col. 13, lines 41-50, col. 16, lines 50-65).

However, Wehmeyer fails to disclose:

said schedule table forming means being operable to control the display of the schedule table so as to enable one of calendar information to be displayed on a single display screen of the display unit;

each of the number of user events is displayable as a pictograph and/or text

said schedule table forming means including means for enabling each said pictograph and/or text of each user event and information including a start time and a channel of each accepted broadcast program occurable within a respective month to be displayed on the single display screen of the respective month of calendar information,

in which information of each non-accepted broadcast program is not displayed on the single display screen of the respective month of calendar information.

wherein the number of events includes a meal engagement and/or attendance at a concert.

In an analogous art, Minoura discloses:

schedule table forming means being operable to control the display of the schedule table so as to enable one month of calendar information to be displayed on a single display screen of the display unit - (Fig. 6, col. 4, lines 8-15, lines 26-28, lines 34-36);

each of the number of events is displayable as a pictograph and/or text - (52 - Fig. 6, col. 4, lines 40-46)

schedule table forming means including means for enabling said pictograph and/or text of each user event and information of each accepted broadcast program occurable within a respective month to be displayed on the single display screen of the respective month of calendar information - (Referring to Fig. 6, the user has a tennis game (52) scheduled on September 30th. - col. 4, lines 40-46).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Wehmeyer's invention to include the above mentioned limitation, as taught by Minoura, for the advantage of providing a visual display of the user's events for the respective month on a television.

However, Wehmeyer and Minoura fail to teach:

information of each non-accepted broadcast program is not displayed on the single display screen of the respective month of calendar information and wherein the start time of the broadcast program is displayed; and

wherein a schedule table forming means includes information about a channel;

wherein the number of events includes a meal engagement and/or attendance at a concert.

In an analogous art, Proehl discloses information of each non-accepted broadcast program is not displayed on the single display screen of the respective month of calendar information (Fig. 9; col. 8, lines 10-30).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Wehmeyer and Minoura's invention to include the above mentioned limitation, as taught by Proehl, for the advantage of displaying only relevant information pertaining to the user and to not over-clutter the display.

However, Wehmeyer, Minoura, and Proehl fail to teach:

the start time (respective broadcast time) of the broadcast program is displayed.

wherein the schedule table forming means includes information about a channel;

wherein the number of events includes a meal engagement and/or attendance at a concert.

In an analogous art, Rasanky teaches the start time of football games is displayed along with the title of the program – (Fig. 16A; col. 17, lines 3-18).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Wehmeyer, Minoura, and Proehl's invention to include

Art Unit: 2623

the above mentioned limitation, as taught by Rasanky, for the advantage of displaying a personal calendar with pertinent information in one view as opposed to selecting the title of content to then view the supplemental information.

However, Wehmeyer, Minoura, Proehl, and Rasanky fail to teach:

wherein a schedule table forming means includes information about a channel;

wherein the number of events includes a meal engagement and/or attendance at a concert.

In an analogous art, Etheredge teaches wherein the schedule table displays the channel number of a broadcast program such that the user is informed which channel to tune to, in order to view the desired program. - fig. 24, 25; col. 18, lines 25-67, col. 19, lines 14-33.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Wehmeyer, Minoura, Proehl, and Rasanky's invention to include the above mentioned limitation, as taught by Etheredge, such that the user is informed which channel to tune to, in order to view the desired program.

However, Wehmeyer, Minoura, Proehl, Rasanky, and Etheredge fail to teach wherein the number of events includes a meal engagement and/or attendance at a concert.

In an analogous art, Kahl discloses wherein the user schedules personal activities in advance such as lunch for the advantage of being reminded of future appointments – (see Dec. 6 – Fig. 2).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Wehmeyer, Minoura, Proehl, Rasanky, and Etheredge's invention to include wherein the number of events includes a meal engagement and/or attendance at a concert, as taught by Kahl, for the advantage of being reminded of future appointments, thereby allowing the user to not miss out on attending future scheduled events.

Claim 5 contains limitations of claim 1 and is analyzed as previously discussed with respect to that claim. Claim 5 additionally calls for the following which Wehmeyer discloses:

said reservation information including said target date and a broadcast time on said target date – col. 11, lines 11-17;

reservation information storing means for storing said reservation information for said broadcast program on said target date – col. 11, lines 11-17; and

viewing control means for controlling the display of said broadcast program upon arrival of said target date and said broadcast time in said stored reservation information – col. 12, lines 11-17.

Claim 6 contains limitations of claim 5 and is analyzed as previously discussed with respect to that claim. Claim 6 additionally calls for the following:

information signal storing means (electronic host device – set top box) for storing an information signal – col. 12, lines 12-18; and

recording control means for controlling the recording of said broadcast program in said information signal storing means upon arrival of said target date and said broadcast time in said stored reservation information – col. 12, lines 11-17.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sumaiya A. Chowdhury whose telephone number is (571) 272-8567. The examiner can normally be reached on Mon-Fri, 9-5:00.

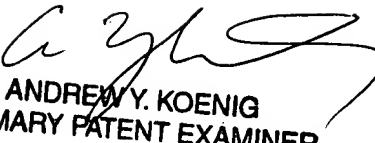
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 09/895,755
Art Unit: 2623

Page 10

SAC


ANDREW Y. KOENIG
PRIMARY PATENT EXAMINER